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Attorneys for Plaintiff
 DAVID KAYNE

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION – E-FILING

DAVID KAYNE, an individual citizen of Georgia,)	Case No. C 07-4721 JF (RS)
)	
Plaintiff,)	
)	[PROPOSED] ORDER GRANTING
vs.)	PLAINTIFF DAVID KAYNE'S
)	MOTION FOR A PRELIMINARY
)	INJUNCTION
THE THOMAS KINKADE COMPANY,)	Hearing Date: October 5, 2007
formerly known as MEDIA ARTS)	Hearing Time: 9:00 a.m.
GROUP, INC., a Delaware Corporation,)	Courtroom: 3, 5 th Floor
Defendant.)	

After consideration of the briefs and arguments of counsel, and all other matters presented to the Court, IT IS HEREBY ORDERED that plaintiff David Kayne's motion for a preliminary injunction is hereby GRANTED.

Defendant The Thomas Kinkade Company is hereby ENJOINED from proceeding further with, and from attending, the pending arbitration presently before the American Arbitration Association, entitled *The Thomas Kinkade Company v. David Kayne* (AAA No. 74-181-E-000733-06), or any other arbitral proceeding pursuant to the "expedited" arbitration procedure set out in Exhibit "A" to plaintiff's complaint herein, until further order of this Court.

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1 The parties shall be prepared to discuss further proceedings in this matter at
2 the Case Management Conference set to occur in this matter on January 4, 2008.

3 IT IS SO ORDERED.

4 DATED: _____

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7 Hon. JEREMY FOGEL
8 United States District Judge
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